## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TENNESSEE NORTHERN DIVISION

SECURITIES AND EXCHANGE COMMISSION,	)	
Plaintiff,	)	
<b>v.</b>	)	No. 3:11-CV-00176
	)	
AIC, INC. et al.,	)	
Defendants.	)	

## MOTION TO WITHDRAW AS COUNSEL

The law firm of Long, Ragsdale & Waters, P.C., and Garrett P. Swartwood ("LRW Counsel"), move the Court pursuant to E.D. TN. LR 83.4 and Tenn. Sup. Ct. R. 8, RPC 1.16 for an order allowing them to withdraw as counsel for the Defendants and Relief Defendants, AIC, Inc., Community Bankers Securities, LLC, Nicholas D. Skaltsounis, Allied Beacon Partners, Inc. (f/k/a Waterford Investors Services, Inc.), Advent Securities, Inc., and CBS Advisors, LLC (collectively referred to herein as the "Defendants"), and to have their names removed as counsel of record. The grounds for this motion are that the Defendants have only engaged LRW Counsel as local counsel for the purpose of litigating the motions to change venue and for a more definite statement, upon which the Court has recently ruled. The Defendants have not engaged the undersigned counsel to continue representation of them in this action, and have not furnished advance payment of fees and expenses and a signed engagement agreement as would be required by LRW Counsel. Further, LRW Counsel has only had contact with co-counsel located in Virginia and has had no virtually no contact with the Defendants or their representatives. LRW

Counsel has not received information from the Defendants necessary to allow it to continue representation of them in this action. Withdrawal can be accomplished without material adverse effect on the interests of the Defendants, since they are represented by Virginia counsel, the case is in its initial pleading stages, and trial has not been scheduled. Pursuant to E.D. TN. LR 83.4(e) and (f), the Defendants were given notice through their Virginia counsel of LRW Counsel's intent to withdraw on September 14, 2011, at least 14 days prior to the date that this motion has been filed.

WHEREFORE, LRW Counsel respectfully pray for an order allowing them to withdraw as counsel for the Defendants and have their names removed as counsel of record.

/s/ Garrett P. Swartwood

GARRETT P. SWARTWOOD (BPR No. 21803) Long, Ragsdale & Waters, P.C.

1111 Northshore Drive, Suite S-700 Knoxville, Tennessee 37919 (865) 584-4040

## CERTIFICATE OF SERVICE

I hereby certify that on October 28, 2011 a copy of the foregoing was filed electronically using the Court's CM/ECF system, which will send notice of electronic filing to counsel for the plaintiff, Michael J. Rinaldi, Esquire, Securities and Exchange Commission, Philadelphia Regional Office, 701 Market Street, Suite 2000, Philadelphia, Pa 19106, RinaldiM@sec.gov. I further certify that a copy of this motion has been served this 28<sup>th</sup> day of October, 2011, by First Class U.S. Mail, postage prepaid, upon the following persons:

Steven S. Biss, Esq. 300 West Main Street, Suite 102 Charlottesville, Virginia 22903

Elliot P. Park, Esq. Park and Company, P.C. 1011 East Main Street, Suite 300 Richmond, Virginia 23219

	/s/ Garrett P. Swartwood
Ву:	